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RESPONSE UNDER 37 CFR 1.116
EXPEDITED PROCEDURE
EXAMINING GROUP 2800

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

First Named

Inventor : Jason P. Brenden

Appln. No. : 10/619,802

Filed : July 15, 2003

Title : VOICE COIL MOTOR POWER AMPLIFIER

Docket No. : V44.12-0155

Group Art Unit: 2816

Examiner:
Wells, Kenneth B.

RESPONSE AFTER FINAL

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Commissioner For Patents

P.O. Box 1450

Alexandria, VA 22313-1450

SENT VIA EXPRESS MAIL

Express Mail No.: EV 302258802 US

This is in response to the Office Action mailed on January 25, 2005. Pending in the present application were claims 1-11 and 13-23. The Office Action allowed claims 1-9 and 23; objected to claims 14-21 as being dependent upon a rejected base claim; and rejected claims 10, 11, 13 and 22 as being anticipated by the prior art. Applicant believes the present application containing claims 1-11 and 13-23 is in condition for allowance, and respectfully requests reconsideration and notice to that effect.

Applicant acknowledges a phone conference between its counsel, Dina M. Khaled and Examiner Kenneth B. Wells and on Friday, February 25, 2005. Applicant argued that claim 10 was patentable over the cited prior art, but nevertheless proposed an amendment of claim 10. Examiner Wells did not consider the amendment because the last Office Action was made final and such amendment would necessarily require a new search. Rather, Examiner Wells suggested that Applicant file a Response to the Office Action putting forth its arguments for patentability of the claims. This Response follows.



O I P E FEE TRANSMITTAL

Complete if Known

Application No. 10/619,802
 Filing Date July 15, 2003
 First Named Inventor Jason P. Brenden
 Group Art Unit 2816
 Examiner Name Wells, Kenneth B.
 Atty. Docket Number V44.12-0155

Total Amount of Payment \$0.00

METHOD OF PAYMENT (Check One)

1. ☒ The Commissioner is hereby authorized to charge any additional fee required under 37 C.F.R. 1.16 and 1.17 and credit any over payments to Deposit Account No. 11-0982. Deposit Account Name: Kinney & Lange, P.A. A duplicate copy of this communication is enclosed

2. ☐ Check Enclosed

FEE CALCULATION

1. BASIC FILING FEE

Large Entity Fee Code	Large Entity Fee (\$)	Small Entity Fee Code	Small Entity Fee (\$)	Fee Description
1001	770	2001	385	<input type="checkbox"/> Utility Filing Fee
1002	340	2002	170	<input type="checkbox"/> Design Filing Fee
1004	770	2004	385	<input type="checkbox"/> Reissue Filing Fee
1005	160	2005	80	<input type="checkbox"/> Prov. Filing Fee

Subtotal (1) \$0.00

2. EXTRA CLAIM FEES

	Number Claims	Prior**	Extra	Fee from Below	Fee Paid
Total	22	22	= 0	x *	= *
Indep.	3	3	= 0	x *	= *
Multiple Dependent Claims				x *	= *

**Insert 3 and 20, or number previously paid if greater; Reissue see below

Large Entity Fee Code	Large Entity Fee (\$)	Small Entity Fee Code	Small Entity Fee (\$)	Description
1202	18	2202	9	Claims in excess of 20
1201	86	2201	43	Independent claims in excess of 3
1203	290	2203	145	Multiple Dependent Claim
1204	86	2204	43	Reissue Independent Claims Over Original Patent
1205	18	2205	9	Reissue claims in excess of 20 and over original patent

FEE CALCULATION (Continued)

3. ADDITIONAL FEES

Large Entity Fee Code	Large Entity Fee (\$)	Small Entity Fee Code	Small Entity Fee (\$)	Fee Description	Fee paid
1051	130	2051	65	Surcharge - Late filing fee or oath	*
1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet	*
1053	130	1053	130	Non-English specification	*
1812	2,520	1812	2,520	For Filing a Request for Reexamination	*
1251	110	2251	55	Extension for reply within first month	*
1252	420	2252	210	Extension for reply within second month	*
1253	950	2253	475	Extension for reply within third month	*
1254	1,480	2254	740	Extension for reply within fourth month	*
1255	2,010	2255	1,005	Extension for reply within fifth month	*
1402	330	2402	165	Filing a brief in support of an appeal	*
1403	290	2403	145	Request for oral hearing	*
1814	110	2814	55	Terminal Disclaimer Fee	*
1452	110	2452	55	Petition to revive - unavoidable	*
1453	1,330	2453	665	Petition to revive - unintentional	*
1501	1,330	2501	665	Utility/Reissue issue fee	*
1502	480	2502	240	Design issue fee	*
1460	130	1460	130	Petitions to the Commissioner	*
1807	50	1807	50	Petitions related to provisional applications	*
1806	180	1806	180	Submission of Information Disclosure Statement	*
8021	40	8021	40	Recording each patent assignment per property (times number of properties)	*
1801	770	2801	385	Request for Continued Examination (RCE)	*
Other fee (specify)					*

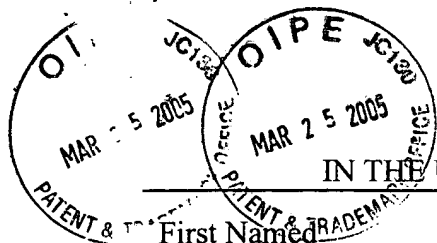
Subtotal (3) \$0.00

Signature Dina M. Khaled
 Dina M. Khaled

Reg. No. 52,761

Date 3/25/2005

Deposit Account No. 11-0982



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EXPRESS MAIL COVER SHEET

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The following papers are being transmitted via **EXPRESS MAIL** to the U.S. Patent and Trademark Office on the date shown below:

1. Response After Final;
2. Fee Transmittal (in duplicate); and
3. Return receipt postcard.

Respectfully submitted,

KINNEY & LANGE, P.A.

Date: 3/25/2005

By

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